



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 151 (as reported without amendment)
Sponsor: Senator Steven Bieda
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to eliminate the deadline for a defendant convicted of a felony at trial, who is serving a prison sentence for that felony, to petition the circuit court to order DNA testing of biological material identified during the investigation that led to his or her conviction, and for a new trial based on the results of that testing. Currently, such a petition must be filed by January 1, 2016.

(Public Act 402 of 2000 amended the Code of Criminal Procedure to establish procedures under which a person who was convicted of a felony may petition the circuit court for DNA testing and a new trial. The court must order DNA testing if the defendant meets certain requirements.

The original deadline for filing a petition was January 1, 2006. Subsequently, the deadline was delayed to January 1, 2009, January 1, 2012, and January 1, 2016.)

MCL 770.16

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government based on the extent to which it would increase the number of petitions for DNA tests and the number of new trials resulting from those tests. The cost per DNA test is variable based on the underlying sample of biological material that is being tested. For reference, the Michigan State Police forensic lab has a minimum cost of approximately \$500 per test for basic sexual assault kit testing. Additionally, the bill would potentially increase both court costs and DNA testing costs but also potentially decrease corrections costs as a result of overturned convictions and the release of prisoners.

Date Completed: 3-4-15

Fiscal Analyst: John Maxwell